

# Mitigation Monitoring and Reporting Program

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## Introduction

The California Public Resources Code, Section 21081.6, requires that a lead or responsible agency adopt a mitigation monitoring and reporting program (MMRP) when approving or carrying out a project when a mitigated negative declaration identifies measures to reduce potential adverse environmental impacts to less-than-significant levels. As lead agency for the proposed project, the City of Lake Forest (City) is responsible for adoption and oversight of the MMRP.

An initial study/mitigated negative declaration (IS/MND) has been prepared for the project that addresses the potential environmental impacts, and, where appropriate, recommends measures to mitigate these impacts. As such, an MMRP is required to ensure that the adopted mitigation measures are implemented successfully. This document plan lists each mitigation measure, describes the methods for implementation and verification, and identifies the responsible party or parties.

## Project Overview

Baker Ranch Properties, LLC (applicant) proposes closure and reclamation of the existing surface mine, and the construction of up to 250 single- and multi-family attached and detached residential units on the approximately 30-acre project site. Proposed housing units are expected to be between 1,500 and 3,300 square feet.

The project site fronts Rancho Parkway. All utilities and public facilities, and certain drainage facilities, to serve the site are in Rancho Parkway and have been stubbed into the project site. There would be a main access road into the project site, which would line up with and be opposite to the entry to the City's sports park, which is currently under construction. This would create a four-way signalized intersection with Rancho Parkway. Private roads would provide circulation within the proposed residential development. At the request of the City, the project would also provide a 3,666.28-square-foot (0.084-acre) right-of-way dedication along the eastern edge of the property for the widening of Portola Parkway, in accordance with the City's General Plan Circulation Element. The future construction of the Portola Parkway widening may include retaining walls at the edge of the project site.

The project also proposes subdividing the project site by way of a tract map. Approximately 5.8 acres would be subdivided into 64 single-family detached lots generally 47 feet by 75 feet. Approximately 4.9 acres would be subdivided into 53 single-family detached lots generally 55 feet by 65 feet, and approximately 9.2 acres would be subdivided into one pad designated for condominium purposes and would accommodate up to 133 units/lots in either an attached configuration and/or a clustered single-family detached configuration (e.g. "alley loaded"). Additionally, the proposed project would include a recreation area on approximately 0.5 acre of land, 2 acres of landscape and open space buffers, 5.8 acres for private streets and utility/emergency access, and an existing water quality detention basin on up to 1.8 acres.

The proposed project also includes a General Plan Amendment (GPA) in order to be in compliance with all applicable plans and policies. The GPA includes a redesignation of the western portion of the project as Low-Medium Density Residential and the eastern portion as Medium Density Residential. The amendment would remove the General Plan Mineral Resources Overlay designation.

An amendment to the Baker Ranch Planned Community Development Plan and Supplemental Text is also proposed to allow for implementation of detached and attached residential development on the project site's portion of Parcel 3. This would change the current zoning of Urban Activity with a Sand and Gravel Overlay Zone to Residential.

The project is also proposing an amendment to the reclamation plan so that the project grading plan and the amended reclamation plan would be consistent. The reclamation plan would be implemented with the grading of the project site, which would result in the closure of the surface mine in accordance with state law.

## Monitoring and Reporting Procedures

The MMRP for the proposed project will be in place through all phases of the project, including design, construction, and operation. The City will be responsible for administering the MMRP and ensuring that all parties comply with its provisions. The City may delegate monitoring activities to staff, consultants, or contractors. The City will also ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems.

## Mitigation Monitoring and Reporting Program Implementation

Table 1 lists each mitigation measure included in the IS/MND by resource area. Certain inspections and reports may require preparation by qualified individuals, and these are specified as needed. The timing and method of verification for each measure are also specified.

## Project Contact Information

### LEAD AGENCY:

City of Lake Forest, Development Services Department  
25550 Commercentre Drive, Suite 100  
Lake Forest, CA 92630

### CONTACT PERSON/TELEPHONE NO.:

Carrie Tai, Senior Planner, (949) 461-3466

**Table 1. Mitigation Monitoring and Reporting Program**

<b>Mitigation Measure No.</b>	<b>Mitigation Measure</b>	<b>Timing of Implementation</b>	<b>Method of Implementation</b>	<b>Responsible Party/ Verifying Party</b>
<b>BIOLOGICAL RESOURCES</b>				
BIO-1	Prior to recordation of a subdivision map or issuance of a grading permit, whichever comes first, the applicant will provide proof to the City that in-lieu fees have been paid to the NCCP/HCP Reserve for 0.87 acre of impacts on buckwheat scrub habitat. Currently, these fees are assessed at \$65,000 per acre of coastal sage scrub habitat lost.	Prior to recordation of subdivision map or issuance of grading permit.	The project applicant will pay in-lieu fees for impacts on habitat covered by the NCCP. Evidence will be provided to the City.	Project Applicant/ Development Services Department
BIO-2	Ground disturbance or vegetation removal activities will be conducted outside of the recognized nesting bird season (March 15 through August 31). If ground disturbance or vegetation removal activities are necessary during the nesting bird season, prior to grading activities, the project applicant will retain a qualified biologist to conduct a nesting bird survey(s) on and adjacent to (where possible) the site or work area. Surveys will be conducted within 5 days of vegetation removal and/or ground disturbance activities. If nesting birds are found on or adjacent to the project site or work area, then the biologist will provide and establish a suitable “no work” buffer around the nesting location in order to prevent nest failure or direct take of nesting birds. The nesting bird buffers will be maintained throughout the nesting period of the bird as observed and documented by the qualified biologist. No construction or other activities will be allowed to occur within the buffer until the young have fledged or the nest becomes inactive. Once the nest is determined to be inactive by the qualified biologist, the “no work” buffers will be taken down and work will resume.	Within 5 days prior to grading activities.	If construction would occur during nesting season, a preconstruction survey will be commissioned. Buffers would be established if active nests are detected. A qualified biologist will confirm compliance and keep the City notified.	Project Applicant, General Contractor/ Development Services Department

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BIO-3	The project applicant will retain a biologist permitted to conduct presence/absence surveys for coastal California gnatcatchers to conduct a sweep of the buckwheat scrub immediately prior to scrub removal activities and monitor the removal of the scrub to verify that no coastal California gnatcatchers are using the scrub during the scrub removal activities. If coastal California gnatcatchers are observed before or during the removal of the scrub, then the vegetation removal activities will cease until the scrub is no longer being utilized by coastal California gnatcatchers as observed by the biologist. Once the qualified biologist has determined the scrub is no longer utilized by coastal California gnatcatchers, work will resume. The results of the coastal California gnatcatchers survey and vegetation removal monitoring activities will be provided to the City of Lake Forest planning manager prior to issuance of grading permits.	Prior to issuance of any grading permit; prior to scrub removal activities and during scrub removal activities.	The project applicant will retain a qualified biologist to survey the presence/absence for coastal California gnatcatchers prior to issuance of grading permits and will monitor scrub removal activity. The results will be provided to the City.	Project Applicant, General Contractor/ Development Services Department
BIO-4	Removal and/or transportation of eucalyptus cuttings on City of Lake Forest streets will occur outside of the restricted dates as prescribed in City Municipal Code 6.20.025. If deemed necessary to transport eucalyptus cuttings on city streets or highways within the restricted period (April 1 through October 31), then a eucalyptus tree cutting permit will be required to be obtained from the City prior to transportation of cuttings.	If during April 1 through October 3, prior to transportation of eucalyptus tree cuttings.	The project applicant will obtain a eucalyptus tree cutting permit from the City.	Project Applicant, General Contractor/ Development Services Department

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<b>CULTURAL RESOURCES</b>				
CR-1	<p>Prior to issuance of a grading permit, an Orange County-certified professional paleontologist will be retained by the developer to provide professional paleontological services, which will include survey, education of construction workers, onsite construction monitoring, appropriate recovery, and reporting. This mitigation measure and the details included below must be included on the approved project grading plans.</p> <ul style="list-style-type: none"> <li>• Before site preparation (including vegetation clearing) and project earthwork begin, the professional paleontologist will conduct a surface survey and salvage operation in all parts of the project site where paleontologically sensitive materials may be exposed at the surface. The survey and salvage will ensure that exposed paleontological materials are recovered and properly prepared and curated, or protected from damage using exclusion fencing or other appropriate means. Protection measures, such as temporary fencing or flagging around the fossil remains, will be designed and installed under the direction of the qualified paleontologist in consultation with the developer and City until the qualified paleontologist can safely salvage the fossil remains in a scientific manner. Without exception, the work will be conducted in conformance with the Orange County paleontological sensitivity guidelines (Eisentraut and Cooper 2002) and will meet the requirements for surface prospecting and surface collection.</li> <li>• The developer will include in the scope of work for the paleontologist that all construction personnel receive training provided by the paleontologist to ensure recognition of fossil materials in the event</li> </ul>	Prior to issuance of a grading permit and during construction.	<p>The project applicant will retain a qualified paleontologist to monitor grading and other site preparation activities throughout the construction phases to ensure compliance with MM CR-1. A final report by the qualified paleontologist will be filed with the City.</p>	Project Applicant, General Contractor/ Development Services Department

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	<p>any are discovered during earthwork.</p> <ul style="list-style-type: none"> <li>The paleontologist will conduct full-time monitoring for each concentrated grading activity during the course of project construction (Eisentraut and Cooper 2002). If a project has more than one area of concentrated grading activity, more certified monitors may be required. The monitor will have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens.</li> <li>If fossil remains are discovered during project-related activities, activities in the vicinity of the find will stop immediately until the paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include preparation and recovery of fossil materials to be housed in an appropriate museum or university collection and may also include preparation of a report for publication. The work will be conducted in conformance with the Orange County paleontological sensitivity guidelines (Eisentraut and Cooper 2002) and meet the requirements for recovery, salvage, laboratory preparation, preparation to the point of taxonomic identification, transferal, and preparation and submittal. The City and developer will be responsible for ensuring that recommendations regarding treatment and reporting are implemented; this will be accomplished by describing lines of communication and authority between the paleontologist, City and developer, decision thresholds, and reporting procedures in the approved project grading plans.</li> <li>Fossils recovered will be prepared, identified, and catalogued before donation to the accredited</li> </ul>			

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	<p>repository designated by the City of Lake Forest.</p> <ul style="list-style-type: none"> <li>The retained qualified paleontologist will prepare a final report to be filed with the City. If applicable, the report will include a list of specimens recovered, documentation of each locality, interpretation of fossils recovered and will include all specialists' reports as appendices. The report will be required despite the presence or absence of fossils.</li> </ul>			
<b>GEOLOGY/SOILS/SEISMICITY</b>				
GEO-1	<p>The project applicant will implement the recommendations contained in the Preliminary Geotechnical Evaluation and Geotechnical Recommendation for Slope Grading, both prepared by LGC Geotechnical, Inc. to reduce geologic hazards during implementation of the proposed project. The recommendations include:</p> <ul style="list-style-type: none"> <li>Earthwork on site be performed in accordance with future grading plan review report(s), the City of Lake Forest grading requirements, and the General Earthwork and Grading Specifications for Rough Grading included in the geotechnical evaluation.</li> <li>Prior to grading of areas to receive structural fill or engineered improvements, the areas will be cleared of surface obstructions and potentially compressible material (such as stockpiled materials, young fan deposits, colluvium, and vegetation). Vegetation and debris will be removed and properly disposed of off site.</li> <li>All potentially compressible materials not removed by the planned design cuts will be excavated to competent material and replaced with compacted fill soils.</li> <li>Areas prepared to receive structural fill and/or other surface improvements will be scarified, brought to at least optimum-moisture content, and recompacted to</li> </ul>	Prior to and during construction activities.	The City shall confirm all geotechnical recommendations are included on the project development plans and represented in the project design.	Project Applicant/ Development Services Department

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	<p>at least 90% relative compaction</p> <ul style="list-style-type: none"> <li>• Backcuts and key excavations will be geologically mapped by the geotechnical consultant during excavation to confirm the anticipated conditions. If adverse joints, fractures, and/or bedding are exposed, additional analysis and/or remediation measure may be required.</li> <li>• Positive drainage of surface water away from structures will be employed as water should not be allowed to pond adjacent to buildings or to flow freely down a graded slope.</li> <li>• Onsite soils shall be properly blended during rough grading to meet the Caltrans of a minimum 12 percent fines content with an average minimum fines content of 15 percent for soils within the outer 15 feet of the perimeter slope face. Additional fines content testing should be performed during construction in order to document the actual fines content of slope materials.</li> </ul>			
<b>NOISE</b>				
NOI-1	<p>Noise barriers with a minimum surface density of 3.5 pounds per square foot (compatible materials include, but are not limited to, ¾-inch plywood, ¼-inch tempered glass, ¼-inch laminated glass, ¼-inch Plexiglas, or masonry) will be constructed at the following locations:</p> <ul style="list-style-type: none"> <li>• Adjacent to Portola Parkway all homes on pads with elevations within 20 feet of the adjacent roadway elevation will have noise barriers with a minimum height of 5 feet constructed around the perimeter of the first floor outdoor living areas. Minimum 5-foot-high noise barriers will also be constructed around all balconies (if any) at second floor or above for any multifamily residences adjacent to Portola Parkway.</li> <li>• Adjacent to Rancho Parkway all homes on pads with</li> </ul>	During plan review and during project construction.	The project applicant will implement measures listed in MM NOI-1. The City will verify measures are listed and shown on development plans prior to plan approval and implemented during construction.	Project Applicant/ Development Services Department



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	<p>elevations within 4 feet of the adjacent roadway elevation will have noise barriers with a minimum height of 5 feet constructed around the perimeter of the first floor outdoor living areas. Minimum 5-foot-high noise barriers will also be constructed around all balconies (if any) at second floor or above for any multifamily residences adjacent to Rancho Parkway. A noise barrier constructed along the project boundary adjacent to Rancho Parkway with a minimum height of 5 feet could replace the above recommended noise barriers for first floor outdoor living areas.</p> <ul style="list-style-type: none"> <li>• Adjacent to SR-241, a noise barrier will be constructed along the property line closest to the roadway. The minimum height of this noise barrier will be 10 feet high adjacent to all residences on pads with elevations within 10 feet of the adjacent roadway elevation; 8 feet high adjacent to all residences on pads with elevations between 10 and 15 feet below the adjacent roadway elevation; and 6 feet high adjacent to all residences on pads with elevations between 15 and 20 feet below the adjacent roadway elevation.</li> </ul>			
NOI-2	<p>Sound-rated windows and doors will be installed in the facades of all residences at the following locations:</p> <ul style="list-style-type: none"> <li>• Adjacent to SR-241, ground floor elevations will be fitted with windows and doors with a sound transmission class rating of 28 or higher; second floor elevations or above will be fitted with windows and doors with a sound transmission class rating of 32 or higher.</li> <li>• Adjacent to Rancho Parkway, ground floor elevations will be fitted with windows and doors with a sound transmission class rating of 28 or higher; second floor elevations or above will be</li> </ul>	During plan review and during project construction.	The project applicant will implement measures listed in MM NOI-2. The City will verify measures are listed and shown on development plans prior to plan approval and implemented during construction.	Project Applicant, General Contractor/ Development Services Department

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	fitted with windows and doors with a sound transmission class rating of 30 or higher.			
NOI-3	Mechanical ventilation, such as air-conditioning, will be installed in all residences that are exposed to traffic noise exceeding 57 dB CNEL. At a minimum, this will include all residences adjacent to Portola Parkway, Rancho Parkway, and SR-241.	During plan review and confirmation prior to building occupancy.	The project applicant will install air conditioning units in accordance with NOI-3. The City will verify air conditioning is shown on development plans prior to plan approval and confirm installation was completed prior to building occupancy.	Project Applicant, General Contractor/ Development Services Department
NOI-4	A noise barrier with a minimum height of 6 feet will be installed along the western project boundary directly adjacent to the loading/unloading areas of the existing commercial/industrial uses. The noise barrier will have a minimum surface density of 3.5 pounds per square foot (compatible materials include, but are not limited to, ¾-inch plywood, ¼-inch tempered glass, ¼-inch laminated glass, ¼-inch Plexiglas, or masonry).	During plan review and confirmation prior to building occupancy.	The project applicant will construct a noise wall in accordance with MM NOI-4. The City will verify measures are listed and shown on development plans prior to plan approval and implemented during construction.	Project Applicant, General Contractor/ Development Services Department
NOI-5	Prior to issuance of a building permit, the applicant will submit plans for shielding of all HVAC equipment to provide noise attenuation that will reduce noise from HVAC systems to 65 dBA or less when measured at 50 feet from the noise source.	During plan review and prior to issuance of building permit.	The project applicant shall shield HVAC equipment in accordance with MM NOI-5. The City will verify measures are listed and shown on development plans prior to plan approval and implemented during construction.	Project Applicant, General Contractor/ Development Services Department
NOI-6	Prior to the issuance of a grading permit, the applicant will produce written evidence, or other evidence deemed reasonably acceptable by the Director of Development Services, that all construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of any residential dwelling unit will be equipped with	Prior to issuance of a grading permit.	The project applicant will produce written evidence to the Director of Development Services proving equipment within 1,000 feet of any residential	Project Applicant, General Contractor/ Development Services

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	properly operating and maintained mufflers.		dwelling unit is equipped and properly operated with mufflers.	Department
NOI-7	The project contractor will place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.	During project construction.	The project contractor will implement practices outlined in MM NOI-7 and the City will verify.	Project Applicant, General Contractor/ Development Services Department
NOI-8	The construction contractor will obtain the City's approval for its haul plan, with the planned haul truck routes avoiding residential areas to the extent feasible.	Prior to construction activities and issuance of grading and demolition permits.	The contractor will submit a haul plan to the City for approval.	Project Applicant, Construction Contractor/ Development Services Department, Public Works Department
NOI-9	<p>The contractor will implement the following measures during construction activities:</p> <ul style="list-style-type: none"> <li>Electrically powered equipment will be used instead of pneumatic or internal combustion powered equipment, where feasible.</li> <li>Mobile noise-generating equipment and machinery will be shut off when not in use.</li> <li>Material stockpiles and mobile equipment staging, parking, and maintenance areas will be located as far as practicable from noise-sensitive receivers.</li> <li>The use of noise-producing signals, including horns, whistles, alarms, and bells, will be for safety warning purposes only.</li> </ul>	During construction activities.	The contractor include in contract specifications and implement noise measures for construction noise control as outlined in MM NOI-9 to be verified by the Development Services Department.	Project Applicant, General Contractor/ Development Services Department
<b>PUBLIC SERVICES</b>				
PS-1	The developer will pay school mitigation fees in	At issuance of building	Developer will pay required	Project

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	accordance with the Development Agreement.	permits.	statutory school fees and provide evidence to Development Services Department.	Applicant/ Development Services Department
<b>TRANSPORTATION/ TRAFFIC</b>				
TR-1	<p>Prior to initiating construction, the project applicant will prepare a construction traffic management plan <u>in accordance with Caltrans's Manual of Traffic Controls for Construction and Maintenance Work Zones</u> to be approved by the City Engineer. The traffic management plan will include, but will not be limited to:</p> <ul style="list-style-type: none"> <li>• a street and site layout showing the location of construction activity and surrounding streets to be used as detour routes, including special signage.</li> <li>• a tentative start date and construction duration period for each phase of construction.</li> <li>• the name, address, and emergency contact number for those responsible for maintaining the traffic control devices during the course of construction.</li> <li>• provisions for maintaining access for emergency vehicles at all times.</li> <li>• requirements for contractors to avoid intersections currently operating at congested conditions, either by choosing routes that avoid these locations or by receiving deliveries during nonpeak times of day.</li> <li>• provision of traffic controls within the site that may include flag persons wearing Occupational Safety and Health Administration–approved vests and using a “Stop/Slow” paddle to warn motorists of construction activity.</li> <li>• standard construction warning signs in advance of the construction area and at any intersection that provides access to the construction area.</li> </ul>	Prior to initiating construction.	The project applicant will prepare a construction traffic management plan to be approved by the City Engineer.	Public Works Department (Traffic Division)/ Public Works Department (Traffic Division)

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